

BYLAWS
for the
BROOKINGS COUNTY LEPC
(LOCAL EMERGENCY PLANNING COMMITTEE)
-Amended Aug 14, 2003-

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BROOKINGS COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

FORWARD:

The use of and transportation of hazardous materials continues to increase in complexity. Each year, new chemicals are introduced into commerce. From time to time, commodities already in commerce have been found to create previously unrecognized hazards or they have been found to create additional hazards to those originally noted and provided for.

Although existing regulations have done a good job; nonetheless, there have been some spectacular, widely publicized and serious accidents involving hazardous materials. These have led to public demand for more stringent controls. It is hoped that with the formation of the LEPC, Brookings County will better be able to obtain knowledge of many hazardous material situations in Brookings County and to have control over any incident that may occur.

The increased interaction of hazardous materials and the planning, training and response to incidents involving these materials crosses over into areas of planning, training and response to incidents not related to hazardous materials.

I. AUTHORITY AND REFERENCE

- A. South Dakota Compiled Law, Chapter 33-15
- B. Federal Laws and Regulations
- C. SARA Title III - 301 and 303

II. PURPOSE

The purpose of this committee is to carry out the responsibilities set forth by and to assure compliance with SARA Title III by Brookings County. (Also see IV-COMMITTEE RESPONSIBILITIES.)

This committee also realizes that efforts needed to meet an all hazards approach in mitigating, preparing for, responding to, and recovery from all incidents requires the active input of all participating entities of this LEPC.

III. SITUATIONS AND ASSUMPTIONS

The Brookings County Commission and the LEPC recognize the vulnerability of its residents and their property to any hazardous material situation. With the growing number of hazardous materials, the transportation of them becoming more complex, and the interstate system going through the county, along with the numerous users and warehouseers of them, the LEPC is necessary to keep a step ahead of any situation that may occur.

This committee also realizes that Brookings County is vulnerable to incidents not related to hazardous materials and that the input and participation of this committee is necessary to the well being of the Brookings County area.

IV. COMMITTEE RESPONSIBILITIES

A. Develop an emergency response plan and evaluate available resources for preparing for and responding to any potential incident to insure private and governmental compliance to Title III requirements and other applicable requirements which shall include:

1. Identification of facilities and extremely hazardous substance transportation routes.
2. Emergency response procedures, on-site and off-site.
3. Designation of a community coordinator and facility coordinator to implement the plan.
4. Emergency notification procedures.
5. Methods for determining the occurrence of a release and the probable affected area and population.
6. Description of community and industry emergency equipment and facilities and the identity of persons responsible for them.
7. Evacuation plans.
8. Descriptions and schedules of training programs.
9. Methods for exercising emergency response plans.

B. Keep on file listings of hazardous materials and possible solutions to problems that may arise from hazardous materials being used, stored or transported.

C. Have as an objective to improve coordination and communication resulting and returning any unstable situation to a stable condition in the shortest time in order to reduce loss of life, injury and property damage.

D. Track reporting of incidents from local level through state and federal levels of government.

E. Keep local, state and federal officials informed of activities in an incident area.

V. COMMITTEE MEMBERSHIP

Membership is open to anyone who is interested in serving and/or has knowledge of hazardous materials. Members will be appointed by the Brookings County Commission and shall include: Elected state and local officials; law; fire; emergency management; public health; environmental, hospital, and transportation officials; representatives of facilities subject to emergency planning; community groups; volunteers; and the media.

The Committee will meet at least once per quarter, the date for the next meeting to be determined at the current meeting.

VI. TERM OF APPOINTMENT

Committee members will serve for a one-year term with the appointment being made by the County Commission following the first meeting of the LEPC of each year.

VII. COMMITTEE OFFICERS

Within the Committee, there shall be a Chairperson and a Vice Chairperson elected by the committee members at the first quarterly meeting each year. Should the position of Chairperson become open, the Vice Chairperson may be moved into that position and a Vice Chairperson elected by the committee or Chairperson will be elected by the committee. No limit will be placed on the number of years that the Chairperson or Vice Chairperson may serve if elected by the Committee each year. The Emergency Management Director shall serve as secretary for the committee. The Chairperson or Vice Chairperson will conduct all meeting in a businesslike manner. In the absence of the two, the Emergency Management Director may conduct the meeting.

VIII. FINANCES

A. All funds received from tax sources or government disbursement shall be maintained in an appropriate revolving account at the Brookings County Treasurer's office.

B. The committee may keep a checking account if no tax dollars are involved. All private funds available to the committee to carry out its responsibilities may be kept in a local bank with the Chairperson and Secretary authorized to sign checks. These funds may only be used to promote functions of the LEPC. All spending of the funds will be approved by the committee before payment is made to any vendor.

IX. CLASSIFICATION OF HAZARDOUS MATERIALS

Hazardous materials shall be known as but not limited to the extremely hazardous substances published in the Federal Registry, petroleum products, and products that could cause harm to life, environment or property when not controlled in its normal controllable containment.

X. RECEIVING AND PROCESSING REQUESTS FOR INFORMATION UNDER SARA TITLE III

A. Guidelines on receiving and processing requests for information under SARA Title III will be those published by the South Dakota Department of Environment and Natural Resources, Division of Air Quality and Solid Waste.

1. Information available.
2. How to file a request.
3. Response to a request.
4. Information withheld.
5. Cost of request.

XI. BYLAW CHANGES

Bylaws may be changed by a majority of the members present at the meeting following the proposed changes.